

Attorney's Docket No.: 06618-605001
Client's Ref. No.: CIT 3188RECEIVED
CENTRAL FAX CENTER

APR 28 2004

OFFICIAL

OFFICIAL COMMUNICATION

FACSIMILE

TO THE U.S. PATENT AND TRADEMARK OFFICE (PATENT)

FAX NO: 703-872-9306

Number of pages including this page 9

Applicant : Lutfollah Maleki et al.
Serial No. : 09/816,872
Filed : March 22, 2001Art Unit : 2828
Examiner : James A. Menefee

FACSIMILE COMMUNICATION

Title : NON-SPHERICAL WHISPERING-GALLERY-MODE MICROCAVITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is a Request to Correct Terminal
Disclaimers, faxed this 28th day of April 2004 to Group 2828, the United States Patent and
Trademark Office.

Respectfully submitted,

Date: April 28, 2004


Scott C. Harris /BY
Reg. No. 32,030 BING AI
REG. NO. 43,312Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Fax: (858) 678-5099

10390243.doc/sxg

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential
information. If you have received this facsimile in error, please immediately call us collect at
(858) 678-5070 to arrange for its return. Thank you.

Attorney's Docket No.: 06618/605001 / CIT 3189

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lutfollah Maleki et al. Art Unit : 2828
Serial No.: 09/816,872 Examiner : James A. Menefee
Filed : March 22, 2001
Title : NON-SPHERICAL WHISPERING-GALLERY-MODE MICROCAVITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT TERMINAL DISCLAIMERS

Applicants request correction of 2 Terminal Disclaimers filed and accepted by the United States Patent and Trademark Office.

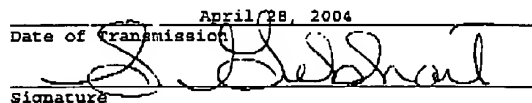
In the Terminal Disclaimer filed March 5, 2003 (attached and labeled Attachment I), please correct the typographical errors on page 2. The U.S. Patent No. 6,389,197 being disclaimed was improperly identified as the number 6,389,19 on lines 19 and 20 on page 2. The correct number is 6,389,197.

In the Terminal Disclaimer filed March 5, 2003 (attached and labeled Attachment II), please correct the typographical errors on page 2. The U.S. Patent No. 6,487,233 being disclaimed was improperly identified as the number 6,389,19 on lines 19 and 20 on page 2. The correct number is 6,487,233.

The attached copies of the Terminal Disclaimers show the desired changes for your convenience.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

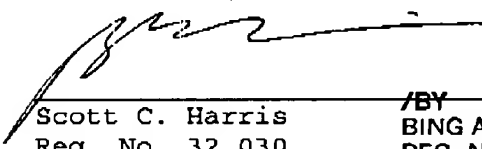
April 28, 2004
Date of Transmission
Signature 

S. Gebhart
Name of Person Signing Certificate

Attorney's Docket No.: 06618/605001 / CIT 3188

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 28, 2004

Scott C. Harris
Reg. No. 32,030_____
/BY
BING AI
REG. NO. 43,312

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10389631.doc

Attorney's Docket No.: 06618/605001 / CIT 3188

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lutfollah Maleki et al. Art Unit : 2828
Serial No.: 09/816,872 Examiner : James A. Menefee
Filed : March 22, 2001
Title : NON-SPHERICAL WHISPERING-GALLERY-MODE MICROCAVITY

Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CALIFORNIA INSTITUTE OF TECHNOLOGY, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the above application. The assignment was recorded in the Patent and Trademark Office at Reel 012115, Frame 0428 on August 27, 2001. California Institute of Technology also certifies that it is the assignee of U.S. Patent No. 6,389,197. Attached for your reference are copies of the following documents:

1. the assignment and recordation record of the application no. 09/816,872; and
2. the assignment and recordation record of U.S. Patent No. 6,389,197.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and the U.S. Patent No. 6,389,197, and to the best of undersigned's knowledge and belief, the title to each of the application no. 09/816,872 and

CERTIFICATE OF MAILING BY FIRST CLASS MAIL


ATTACHMENT

I

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 5, 2003

Date of Deposit


Signature

Sharon Gebhart

Name of Person Signing Certificate

Attorney's Docket No.: 06618/605001 / CIT 3188

the U.S. Patent No. 6,389,197 is in CALIFORNIA INSTITUTE OF TECHNOLOGY.

The undersigned is empowered to act on behalf of the assignee CALIFORNIA INSTITUTE OF TECHNOLOGY.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application No. 09/816,872 subsequent to the expiration date of U.S. Patent No. 6,389,197, whereby the patent granted on the application No. 09/816,872 and U.S. Patent No. 6,389,197 will expire on the same day, provided that any patent granted on the above identified application No. 09/816,872 shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,389,197.

The assignee CALIFORNIA INSTITUTE OF TECHNOLOGY does not disclaim any terminal part of any patent granted on the above identified application No. 09/816,872 prior to the expiration date of the full statutory term of U.S. Patent No. ~~6,389,197~~ ^{6,389,197} in the event that U.S. Patent No. ~~6,389,197~~ later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee CALIFORNIA INSTITUTE OF TECHNOLOGY does not disclaim or otherwise affect any part of U.S. Patent No. 6,389,197.

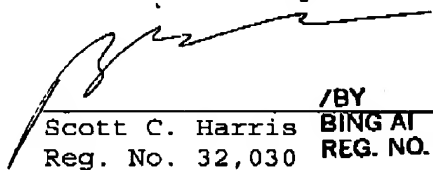
This disclaimer runs with any patent granted on the above application No. 09/816,872 and is binding upon the grantee, its successors or assigns.

Attorney's Docket No.: 06618/605001 / CIT 3188


Please charge the \$55 statutory disclaimer fee, and any other applicable fees or credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 06618-605001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: March 5, 2003

/BY
Scott C. Harris BING AI
Reg. No. 32,030 REG. NO. 43,312

Fish & Richardson P.C.
PTO Customer No. 
4350 La Jolla Village Drive, Suite 500
San Diego, California 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10253094.doc

Attorney's Docket No.: 06618/605001 / CIT 3188

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lutfollah Maleki et al. Art Unit : 2828
Serial No.: 09/816,872 Examiner : James A. Menefee
Filed : March 22, 2001
Title : NON-SPHERICAL WHISPERING-GALLERY-MODE MICROCAVITY

Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CALIFORNIA INSTITUTE OF TECHNOLOGY, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the above application. The assignment was recorded in the Patent and Trademark Office at Reel 012115, Frame 0428 on August 27, 2001. California Institute of Technology also certifies that it is the assignee of U.S. Patent No. 6,487,233. Attached for your reference are copies of the following documents:

1. the assignment and recordation record of the application no. 09/816,872; and
2. the assignment and recordation record of U.S. Patent No. 6,487,233.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and the U.S. Patent No. 6,487,233 and to the best of undersigned's knowledge and belief, the title to each of the application no. 09/816,872 and

ATTACHMENT
II

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 5, 2003

Date of Deposit


Signature

Sharon Gebhart

Name of Person Signing Certificate

Attorney's Docket No.: 06618/605001 / CIT 3188

the U.S. Patent No. 6,487,233 is in CALIFORNIA INSTITUTE OF TECHNOLOGY.

The undersigned is empowered to act on behalf of the assignee CALIFORNIA INSTITUTE OF TECHNOLOGY.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application No. 09/816,872 subsequent to the expiration date of U.S. Patent No. 6,487,233, whereby the patent granted on the application No. 09/816,872 and U.S. Patent No. 6,487,233 will expire on the same day, provided that any patent granted on the above identified application No. 09/816,872 shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,487,233.

The assignee CALIFORNIA INSTITUTE OF TECHNOLOGY does not disclaim any terminal part of any patent granted on the above identified application No. 09/816,872 prior to the expiration date of the full statutory term of U.S. Patent No. 6,487,233 in the event that U.S. Patent No. ~~6,389,19~~ later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee CALIFORNIA INSTITUTE OF TECHNOLOGY does not disclaim or otherwise affect any part of U.S. Patent No. 6,487,233.

This disclaimer runs with any patent granted on the above application No. 09/816,872 and is binding upon the grantee, its successors or assigns.

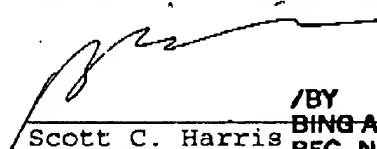
Attorney's Docket No.: 06618/605001 / CIT 3188


Please charge the \$55 statutory disclaimer fee, and any other applicable fees or credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 06618-605001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: March 5, 2003


/BY
Scott C. Harris BING AI
Reg. No. 32,030 REG. NO. 43,312

Fish & Richardson P.C.
PTO Customer No. 
4350 La Jolla Village Drive, Suite 500
San Diego, California 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10253095.doc